IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

OP.No. 15845 of 1999(J)

PETITIONER:

THONIYAN PUTHIYAPURAYIL SHAMSUDEEN,
S/O. IBRAHIM, AGED 33 YEARS, RE-SAW OPERATOR,
RESIDING AT T.P.HOUSE,
MILL ROAD, P.O. VALAPATNAM, AZHICODE AMSOM DESOM,
KANNUR DISTRICT.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:
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1. THE DISTRICT COLLECTOR,
KANNUR DISTRICT, KANNUR – 670 002.

2. THE DISTRICT MEDICAL OFFICER,
KANNUR DISTRICT, KANNUR CIVIL STATION,
(ANNEX) KANNUR – 670 002.

3. ASST. EXECUTIVE ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD, AZHIKODE,
PAYYANNUR.

4. SECRETARY, GRAMA PANCHAYAT,
P.O. AZHIKODE, KANNUR DISTRICT.

BY ADV. SMT.R.BINDU, GOVERNMENT PLEADER
SRI.N.N.SUGUNAPALAN
SRI.M.SASINDRAN
SRI.BABU JOSEPH KURUVATHAZHA,SC,POLU.C.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 15845/1999

ORDER ON CMP NO. 25800/1999 IN O.P.No. 15845/1999

DISMISSED.

08/03/2007. SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 15845 of 1999 J

Dated, this the 8th day of March, 2007

J U D G M E N T

The learned counsel for the Pollution Control Board submits that petitioner's allegation was enquired into and the Industrial Unit, against which pollution was alleged, was directed to carry out modifications to prevent air pollution. The Unit chose to close down instead of carrying out the remedial measures. This original petition has therefore become infructuous and is dismissed.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

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